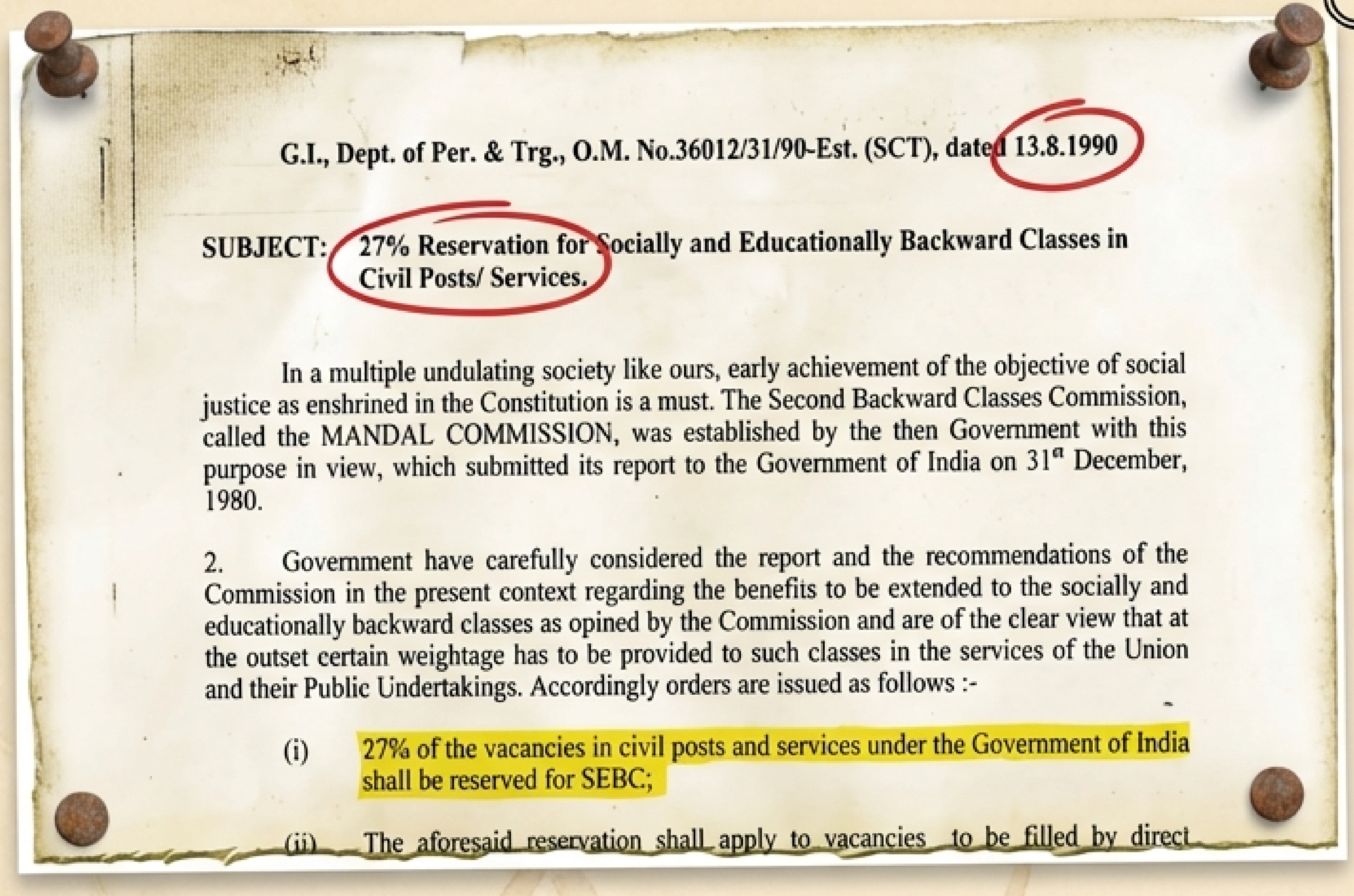
The Case of the 27% Reservation: An Interactive Institutional Workbook

Special Elite: INVESTIGATION LOG 01

Activity 1: Creative Start! These investigators need a uniform. Imagine the colors for their clothes and clipboards.

Democracy isn't just about voting; it's about rules, meetings, and signatures. In this workbook, we will investigate a single government order to understand how the Parliament, Executive, and Judiciary function in India. Lato

Exhibit A: The Mystery Memo



G.I., Dept. of Per. & Trg., O.M. No.36012/31/90-Est. (SCT), dated 13.8.1990

SUBJECT: 27% Reservation for Socially and Educationally Backward Classes in Civil Posts/ Services.

In a multiple undulating society like ours, early achievement of the objective of social justice as enshrined in the Constitution is a must. The Second Backward Classes Commission, called the MANDAL COMMISSION, was established by the then Government with this purpose in view, which submitted its report to the Government of India on 31st December, 1980.

2. Government have carefully considered the report and the recommendations of the Commission in the present context regarding the benefits to be extended to the socially and educationally backward classes as opined by the Commission and are of the clear view that at the outset certain weightage has to be provided to such classes in the services of the Union and their Public Undertakings. Accordingly orders are issued as follows :-

(i) 27% of the vacancies in civil posts and services under the Government of India shall be reserved for SEBC;

(ii) The aforesaid reservation shall apply to vacancies to be filled by direct

DETECTIVE NOTES

On August 13, 1990, the Government of India issued this Office Memorandum (O.M.). It looks like a boring circular, but it changed the country's history.

OBSERVATION QUIZ

Look closely at the document. Who signed this order?

☐ The Prime Minister

☐ The President

☒ A Joint Secretary (Answer: C)

(He was an officer, but he wasn't acting alone—he was executing a policy decision).

The Signer vs. The Decider

Student A: So, this officer decided to reserve 27% of jobs?

Student B: No! He just executed the order. The real decision was made by the ________________.

(**Hint:** (Hint: It involves the Cabinet)

THEORY: A Joint Secretary is part of the 'Permanent Executive' (Civil Servants). They stay in office even when governments change. However, they do not take major policy decisions. Those are taken by the 'Political Executive' (Ministers elected by the people).

Fun Fact: The Prime Minister must have the support of the majority of Lok Sabha members to remain in power.

Flashback: The Mandal Commission (1979)

EVIDENCE PROFILE:

The Second Backward Classes Commission

Appointed: 1979
Head: B.P. Mandal
Mission: To identify socially and educationally backward classes.

DELAYED

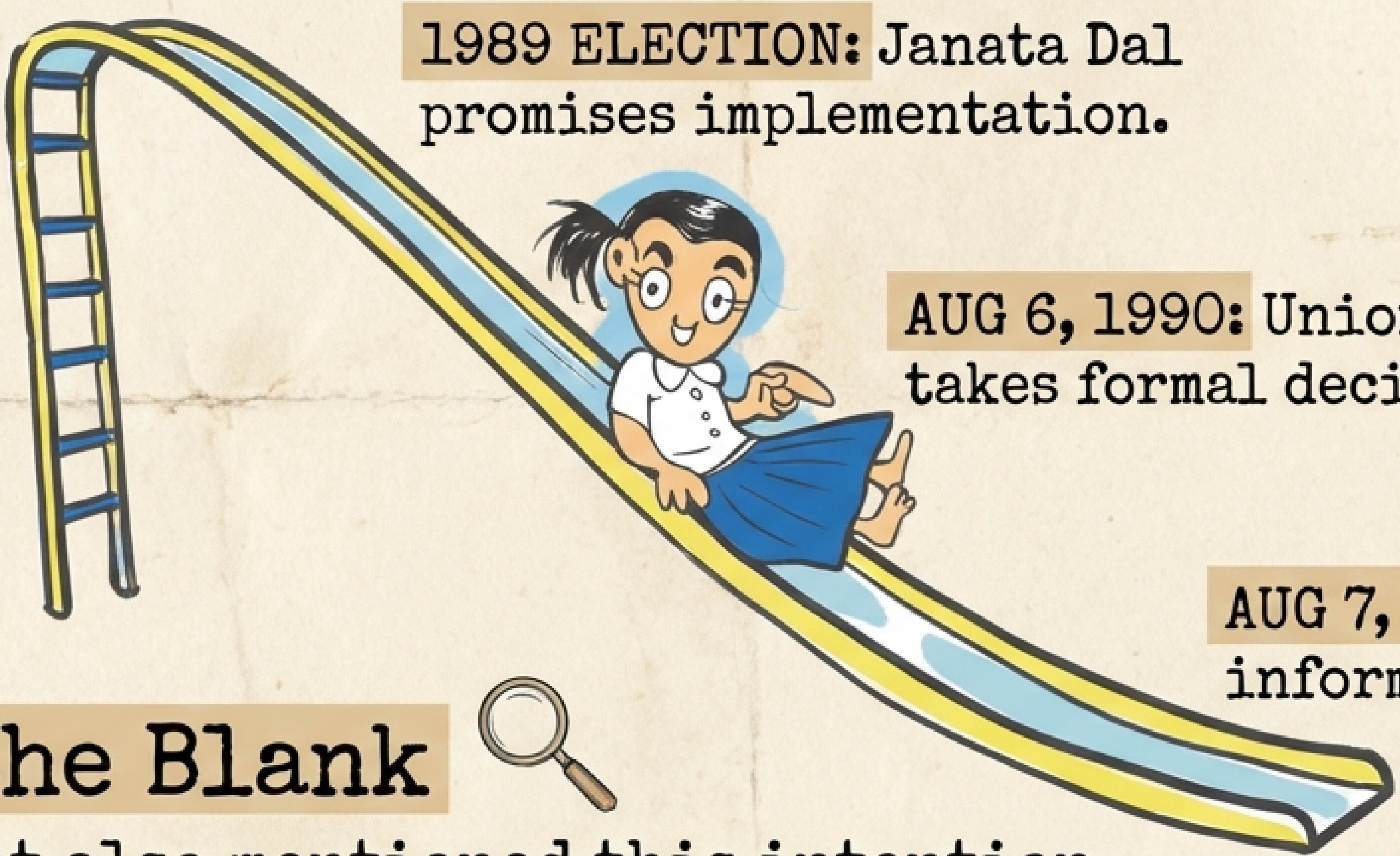
TRUE OR FALSE?

1. The Commission recommended 27% reservation for SEBC. [TRUE]
2. The recommendation was implemented immediately in 1980. [FALSE]

DELAYED:

The report sat for 10 years before implementation!

THE POLITICAL PUSH (1989-1990)



1989 ELECTION: Janata Dal promises implementation.

AUG 6, 1990: Union Cabinet takes formal decision.

AUG 7, 1990: PM V.P. Singh informs Parliament.

Fill in the Blank

The President also mentioned this intention in his address to the _________________.

Parliament

Did Parliament Decide This?

Multiple Choice

Which of these is NOT a role of Parliament in this story?

A) Discussing the Mandal Report.
B) Pressuring the government to act.
C) Signing the final O.M. No. 36012/31/90. ✓

Correct! The Bureaucracy **(Executive)** signed the order, not the Parliament (Legislature).

The order was not issued by Parliament, but the decision was influenced by years of Parliamentary discussion.

Chaos and The Supreme Court

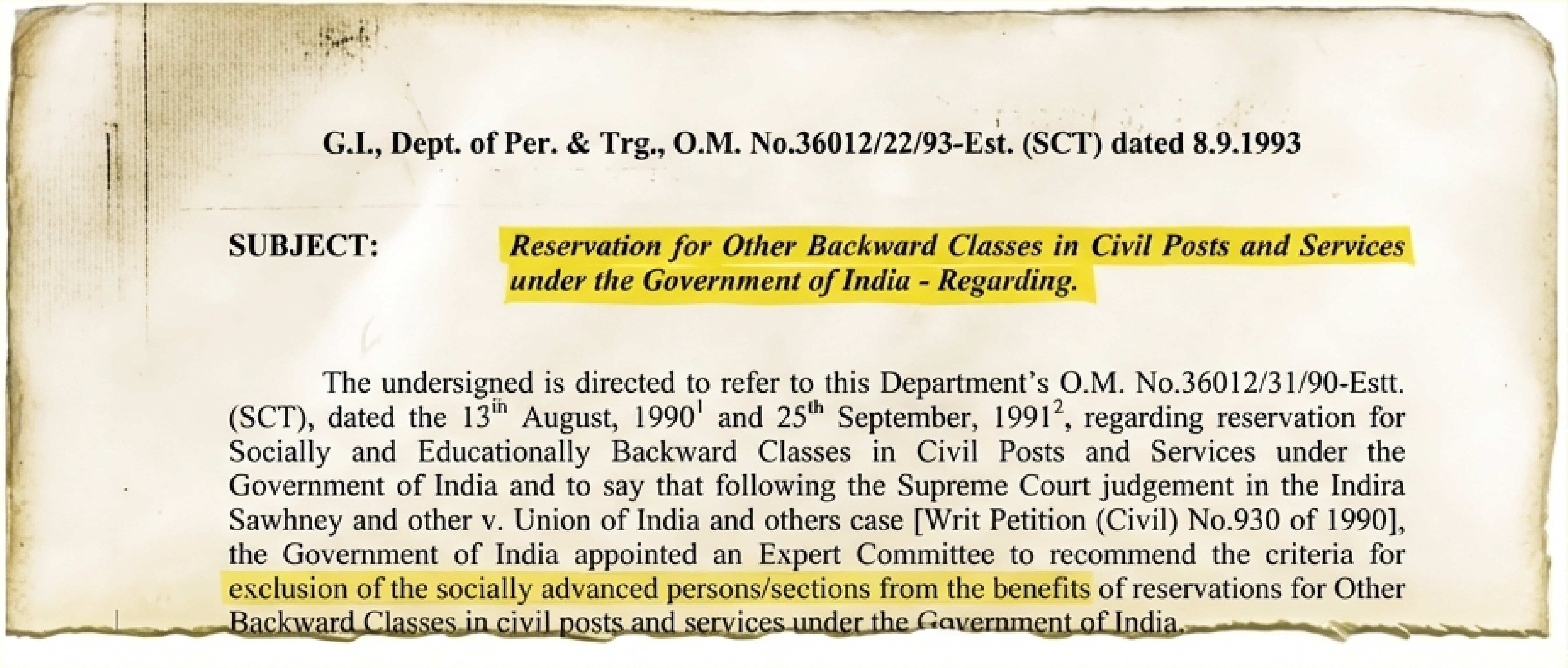
EQUALITY!
RIGHTS!
OPPORTUNITY!

CASE FILE:
Indira Sawhney and others
Vs. Union of India

The order caused protests. Opponents went to court. The Supreme Court bundled these cases together.

THE RULING (1992):
The Court upheld the order but asked the government to exclude the ‘creamy layer’ (well-off members).

The Revised Order (1993)



G.I., Dept. of Per. & Trg., O.M. No.36012/22/93-Est. (SCT) dated 8.9.1993

SUBJECT: ***Reservation for Other Backward Classes in Civil Posts and Services under the Government of India - Regarding.***

The undersigned is directed to refer to this Department's O.M. No.36012/31/90-Estt. (SCT), dated the 13th August, 1990[1] and 25th September, 1991[2], regarding reservation for Socially and Educationally Backward Classes in Civil Posts and Services under the Government of India and to say that following the Supreme Court judgement in the Indira Sawhney and other v. Union of India and others case [Writ Petition (Civil) No.930 of 1990], the Government of India appointed an Expert Committee to recommend the criteria for exclusion of the socially advanced persons/sections from the benefits of reservations for Other Backward Classes in civil posts and services under the Government of India.

Spot the Difference

Amatic SC

Compare this to the 1990 order. The Judiciary forced the Executive to change the rule to ensure fairness.

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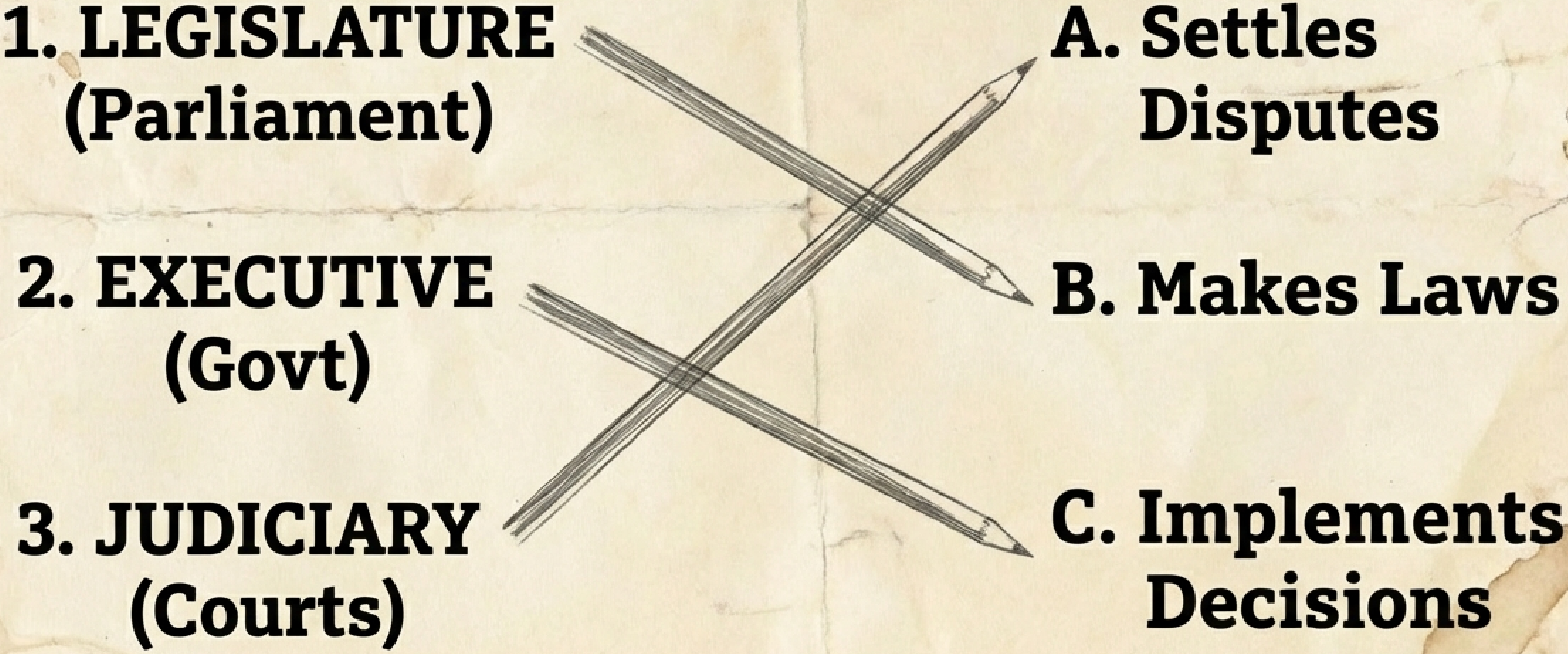
This shows how the Judiciary settles disputes between the State and the Citizens.

Connecting the Dots: The Three Institutions



1. LEGISLATURE (Parliament)

2. EXECUTIVE (Govt)

3. JUDICIARY (Courts)

A. Settles Disputes

B. Makes Laws

C. Implements Decisions

THE CENTER OF POWER: PM AND CABINET

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The Prime Minister is the most important political institution. There is no direct election to the post of the PM; the President appoints the leader of the majority party.

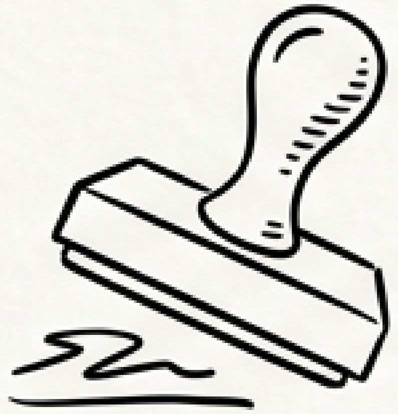
Vocabulary Check

COALITION GOVERNMENT: When no single party gets a majority, the PM heads a government formed by an alliance of two or more parties.

Fun Fact Quiz

True or False? The PM can choose anyone as a Minister.
Answer: True (as long as they become an MP within 6 months).

THE HEAD OF STATE: THE PRESIDENT



While the PM is the Head of Government, the President is the Head of State. The President supervises the overall functioning of all political institutions.

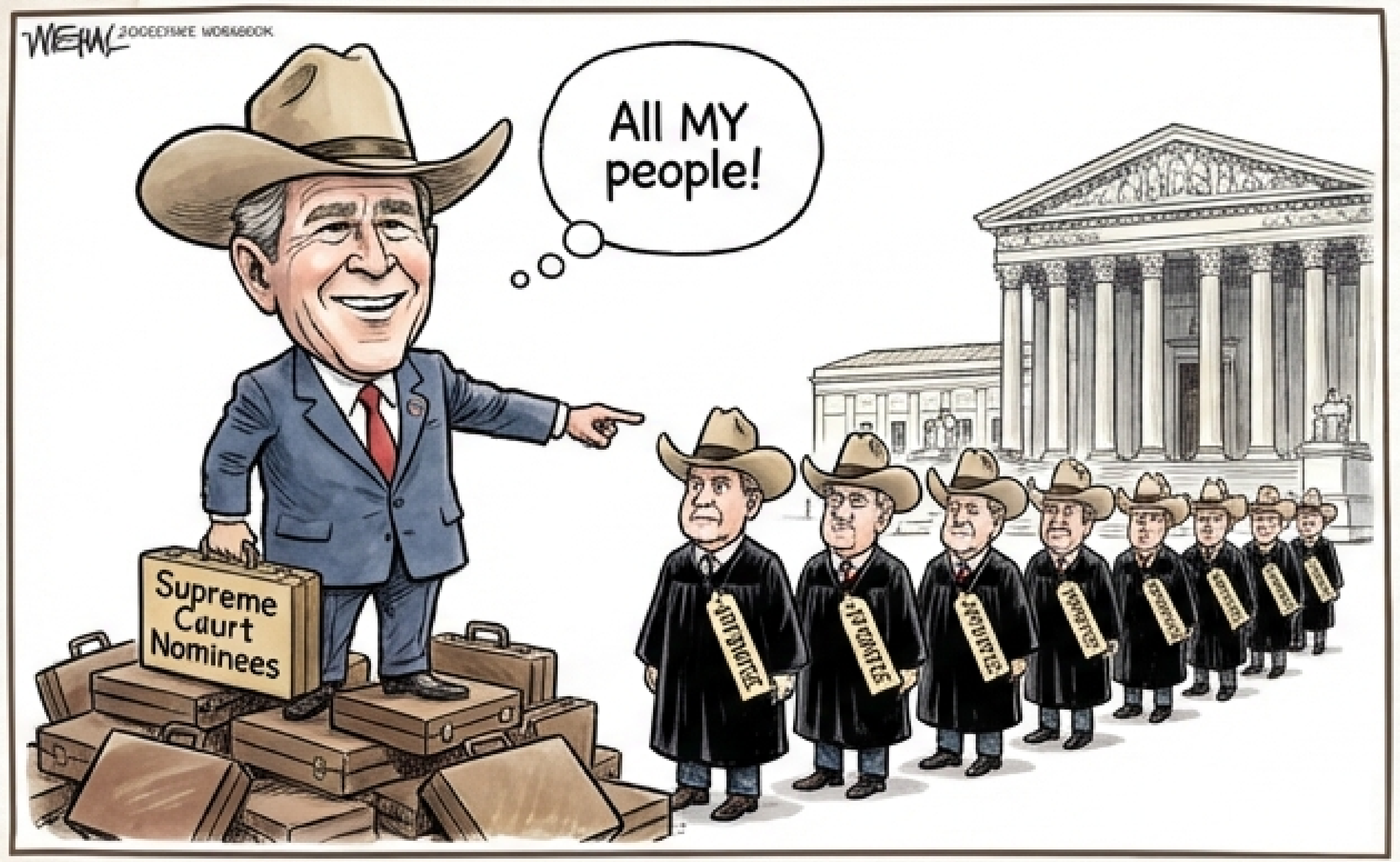
SCENARIO CHALLENGE

If the Parliament passes a Bill, can the President refuse to sign it forever?

[ ] Yes, the President has absolute power.
[ ] No, the President can only send it back once.

Correct Answer: No. If Parliament passes the Bill again, the President MUST sign it.

INDEPENDENT JUDICIARY



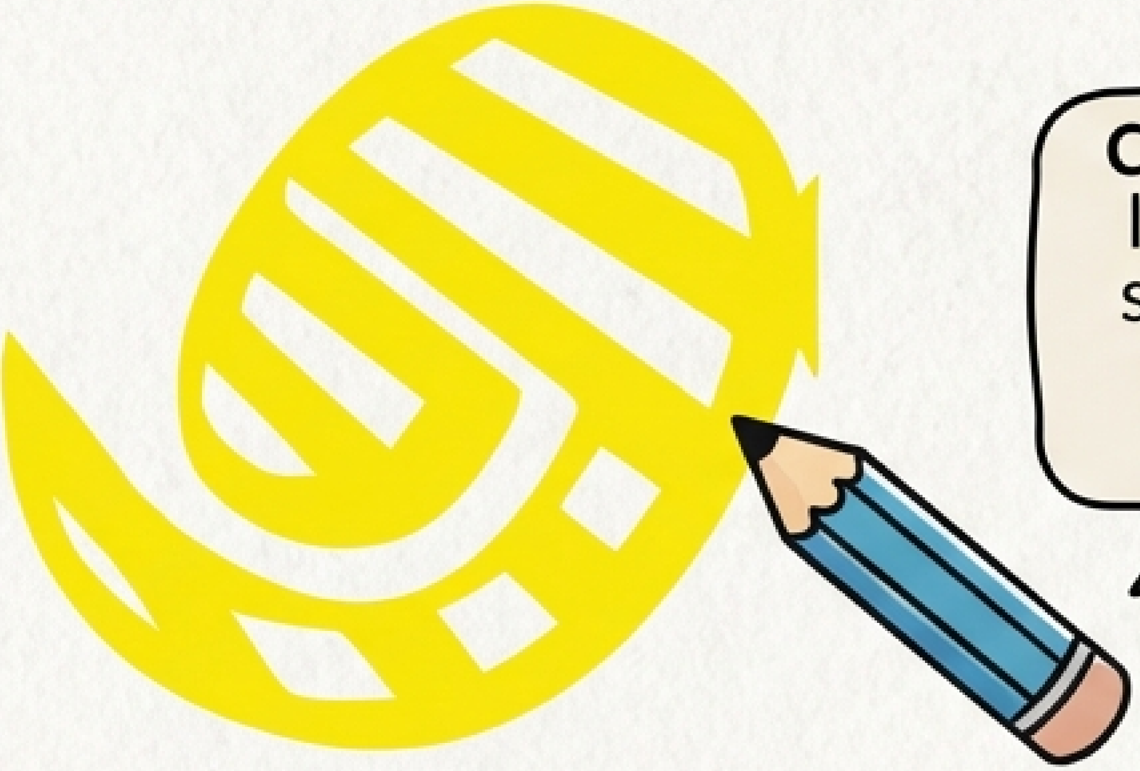
Cartoon Analysis:

This shows the USA, where politicians appoint judges who share their views. India is different.

In India, judges are appointed by the President on the advice of the PM and the Chief Justice. Once appointed, it is nearly impossible to remove them.

Judicial Review: The power of the Supreme Court to judge the validity of any law.

House vs. House



COLORING BREAK:
Imagine this is the seal for a new law. law. What colors would you use?

Fact File

- **Rajya Sabha (Upper House):** Special powers over states.
- **Lok Sabha (Lower House):** Supreme power in money matters.

Did you know?
The Rajya Sabha can only delay a money bill by 14 days!

The Final Investigation: Rapid Fire

1. **Who is the Supreme Commander of the Defence Forces?**
   (A) The Prime Minister
   (B) The President

2. **What happens if the Lok Sabha and Rajya Sabha disagree?**
   (A) A Joint Session is held.
   (B) The law is cancelled.

3. **Can Parliament change the 'Basic Structure' of the Constitution?**
   (A) Yes
   (B) No

Answers: 1(B), 2(A), 3(B)

Case Closed: Why do we need Institutions?

Final Thought

Institutions might make **decision-making** slower. They involve meetings, committees, and **rules**. But this delay is useful-it allows for **consultation** and prevents bad decisions.

CERTIFICATE OF COMPLETION

This certifies that ________________ has successfully investigated the Working of Institutions.

Democracy is not just about the leaders; it is about the arrangements that ensure the rulers follow the rules.